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SPECIAL CIVIL APPLICATION NO. 10247 OF 1995.

Date of Decision: 12.3.1996

FOR APPROVAL AND SIGNATURE

THE HON'BLE MR. JUSTICE N N MATHUR

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder ?
5. Whether it is to be circulated to the Civil Judge ?

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Mr C L Soni, Advocate for the petitioners

Mr Hasim Qureshi, for Mr R C Jani, Advocate for the respondent

CORAM: N N MATHUR, J.  
(March 12, 1996)

ORAL JUDGMENT  
RULE.

Mr R C Jani, learned Advocate waives service of notice of Rule on behalf of the respondent.

2. The grievance voiced by the petitioners in this Special Civil Application is that they are having their huts in private plot of land behind Shivmandir on the southern side of Railway Station Road in Gandhidham. They applied for electric connections and inspite of the fact that their applications are complete in all respects, the electric connections have not been given to them.

3. Mr Hasim Qureshi, appearing for Mr R C Jani, learned Advocate for the respondent-Board submits that an objection has been raised by one Bhagwanbhai V Santhani that the plot belongs to him, and therefore, no electric connection can be given. Mr Santhani claims to be the Power of Attorney of the owner. Mr C L Soni, learned Advocate for the petitioner submits that they have applied for the electric connection on plots No.1,2 and 3 whereas the objection raised by Mr Santhani is with respect to plot No.9. He further submits that the applications have been returned to his clients by the GEB.

4. Considering the fact that the objection is with respect to plot No.9, the respondent Board is directed to entertain the application of the petitioners for electric connection in plots No.1, 2, and 3 in Ward No.12-A of Gandhidham Municipality. If the applications are found to be in order in all respects, they shall be given electric connections. This giving of electric connections will not in any way create any right in favour of the petitioners. In this view of the matter, this application is allowed. Rule made absolute accordingly.

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